



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 29, 2020

**BY ECF**

The Honorable William H. Pauley, III  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St. Room 1920  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Paul M. Daugerdas, 09 Cr. 581 (WHP)**

Dear Judge Pauley:

The Government respectfully submits this letter to request an adjournment of the parties' deadlines for completing depositions in the above-referenced ancillary proceeding concerning Eleanor Daugerdas, currently scheduled to be completed by September 30, 2020. Consistent with the Court's March 23, 2020 scheduling order, the parties exchanged discovery demands and interrogatories on April 30, 2020. However, as a result of the COVID-19 pandemic, the parties both encountered difficulties in reviewing and producing the requested documents and requested this Court's permission to extend its time to complete document discovery and depositions in this case until September 30, 2020. For the reasons outlined below, the parties jointly request the Court extend the time for the parties to complete depositions until December 31, 2020.

In late June, consistent with the Court's Order, the Government made a significant production of documents and provided responses to Petitioners' interrogatories. At that time, the Government was still in the process of identifying and producing the bank record documents that are at the heart of the Petitioners' document requests and made clear additional documents would be forthcoming. While attempting to collect those documents, the Government learned that, due to the age of this case, the Government's documents were maintained on Concordance, a legacy database management system no longer in use by the Government and, critically, not accessible from outside the U.S. Attorney's Office. In light of the COVID-19 pandemic, and in an effort to ensure the Government could effectively search through the case file, the Government made the determination to migrate the case data over to Relativity, a web-based document management platform now used by the Government in most cases, and accessible to the undersigned as well as the Internal Revenue Service agents working on this matter from our remote offices. The process of migrating the data unexpectedly took many months due to the size of the database and the need to convert the Concordance data into a format readable by Relativity. That process has now largely been completed, and the Government intends to make a significant production of bank records and related documents later this week and to make additional productions on a rolling basis as responsive documents are identified.

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The Government understands that the Petitioners encountered similar timing issues as a result of the COVID-19 pandemic. The Petitioners did not respond to the Government's interrogatories until July 24, 2020, and first made documents available for production on September 17, 2020.

In light of the issues above, neither party has had a meaningful opportunity to review the documents produced in this case and neither party has taken any depositions. Accordingly, the Government respectfully requests an additional period of time to complete production of documents and to conduct depositions in this case, and respectfully request the Court allow the parties until December 31, 2020 to do so. The Petitioners join in this request.

Respectfully submitted,

AUDREY STRAUSS  
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Southern District of New York

By:

  
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cc: Counsel (by ECF)

**Application granted. While this Court previously stated that it would not grant any further extensions, the Government has shown good cause. Accordingly, the parties shall complete their document productions and all depositions by December 31, 2020. The October 16, 2020 status conference is adjourned pending further order of this Court. The parties shall submit a joint status report on January 15, 2021.**

Dated: October 2, 2020  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.